TASMANIAN PLANNING COMMISSION

Our ref: DOC/26/103062
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7 September 2026

Hon Kerry Vincent MP
Minister for Housing and Planning

By email: Minister.Vincent@dpac.tas.gov.au

Dear Minister

Advice on Draft Amendment 02-2026 of the State Planning Provisions

I refer to the letter from the State Planning Office dated 3 August 2026 written on your behalf seeking advice from the Commission on whether draft amendment 02-2026 of the State Planning Provisions (SPPs) meets the minor amendment criteria at section 30NA(1) of the Land Use Planning and Approvals Act 1993 (the Act).

The relevant criteria as is prescribed under:

- section 30NA(1)(a) of the Act which requires consideration of the purpose of the amendment; and
- section 30NA(1)(b) of the Act which requires consideration of whether the public interest will be prejudiced by the Commission not exhibiting, considering, and reporting on the draft amendment in accordance with Subdivision 3 of the Act.

Draft amendment 02-2026 proposes amendments to the Tasmanian Planning Scheme SPPs Safeguarding of Airports Code to ensure the code provisions are consistent with updated Commonwealth legislation for managing airports that came into operation on 1 April 2026.

The proposed amendment:

i. Introduces a new exemption to allow additions to development (subject to the code) that expand horizontally provided that the addition does not increase the height of the development above the OLS by more than the existing building; and

ii. Modifies the Acceptable Solution at Clause C16.6.1 of the code, so that buildings and works with the OLS must have approval from (a) the Commonwealth (as is currently the case), or alternatively (b) from the “relevant delegate of the Commonwealth-leased Airport under the Airports (Protection of Airspace) Regulations 2026 (Commonwealth)”.

The proposed amendment is consistent with Section 30NA(1)(a)(v) as it will remove an inconsistency between the SPPs Safeguarding of Airports Code and the Airports Act 1996 (Commonwealth).

The public interest will not be prejudiced by the approval of the amendment as the provisions establish new (limited) exemptions for existing development and provide an additional agency that may provide its approval to satisfy the Acceptable Solution.

Yours sincerely



John Ramsay
Executive Commissioner

cc: State Planning Office

Attention: Sean McPhail - Acting Director
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